



1616

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re-Application of)

KOLTER et al.)

Serial No. 09/729,460)

Filed: December 5, 2000)

For: USE OF A FILM COATING AS TASTE-MAKING COATING OF ORAL DOSAGE
FORMS)

Art Unit: 1616

Examiner: DeWitty

MAR 04 2002

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Honorable Commissioner of
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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the examiner's restriction requirement of January 10, 2002,
applicants here by elect Group II, drawn to an oral dosage form of claims 7-13.

The requirement is, however, traversed. There is unity of invention within the
meaning of 37 CFR 1.499 and PCT Rule 13. Cf. MPEP 1893.03(d) because of the
commonality of the subject matter in terms of the art area involved.

Of course, applicants reserve the right to file divisions with respect any subject
matter withdrawn from consideration under the provisions discussed in *Studiengesellschaft*
Kohle mbH v. Northern Petrochemical Co., 784 F.2d 351, 355, 228 USPQ 837, 840 (Fed.
Cir.), *cert. dismissed* 478 U.S. 1028 (1986).

The examiner's action on the merits is awaited.

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Respectfully submitted,

KEIL & WEINKAUF

Norman G. Torchin
Reg. No. 34,068

1101 Connecticut Ave., N.W.
Washington, D.C. 20036
(202)659-0100

NGT/kas